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Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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"To Enrich Lives Through Effective And Caring Service"

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October 28, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

20 October 28, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**DEPARTMENT OF PUBLIC WORKS:
STONEVIEW NATURE CENTER PROJECT
CULVER CITY
AWARD DESIGN-BUILD CONTRACT
SPECS. 7232; CAPITAL PROJECT NO. 70007
(SECOND DISTRICT)
(3 VOTES)**

SUBJECT

These actions will award and authorize the Department of Public Works to execute a design-build contract with Ledcor Construction, Inc., for completion of the Stoneview Nature Center Project and approve the revised scope of work.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that Ledcor Construction, Inc., is the responsive and responsible bidder that submitted the most advantageous and best value proposal to the County for design and construction of the Stoneview Nature Center Project using the design-build project delivery method, based on the best value criteria stated in the Request for Proposals, including qualifications, technical design, construction expertise, proposed delivery plan, price, skilled labor force availability, design excellence, acceptable safety record, and lifecycle cost.
2. Award and authorize the Director of Public Works, or her designee, to execute a design-build contract with Ledcor Construction, Inc., for a contract sum of \$6,825,000, and a maximum contract sum of \$7,479,000 (inclusive of a design completion allowance of \$325,000, a \$15,000 permit and fees allowance, and \$314,000 for proposed additional scope of work, which includes: an operable wall at the multi-purpose room/lobby; photovoltaic parking covering; a walking path connection

across the driveway; and an integrated technology and digital presence for the facility, subject to receipt by the County of acceptable Faithful Performance and Payment for Labor and Materials Bonds and evidence of required contract insurance filed by the design-build entity.

3. Authorize the Director of Public Works, or her designee, to exercise control of the design completion allowance, including the authority to reallocate the allowance into the contract sum, as appropriate, to resolve cost issues with Ledcor Construction Inc., that are identified during the design phase of the Stoneview Nature Center Project, such as changes resulting from unforeseen conditions, including construction related impacts.

4. Approve the proposed revised Project to include additional new scope of work for Stoneview Nature Center, Capital Project No. 70007, to be implemented contingent upon identification of additional funding.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will award and authorize the Department of Public Works (Public Works) to execute a design-build contract with Ledcor Construction, Inc. (Ledcor), to complete design and construction of the Stoneview Nature Center Project (Project); adopt the revised scope of work tasks. The Project site is located at 5950 Stoneview Drive, Culver City, California 90232.

The additional scope of work will include an operable wall at the multi-purpose/lobby of the nature center, photovoltaic parking covering, a walking path connection across the driveway, and integrated technology and a digital presence for the future facility. This scope will not be implemented if it cannot be accommodated with the current budget or if additional funding is not identified.

Project Background and Description

The proposed Project consists of the demolition of all existing structures on the Project site and the construction of a new 4,000 square-foot interpretive nature center. The demolition includes the demolition of the existing buildings, concrete and asphalt paving, site amenities such as fences and gates, and existing utilities. Demolition and abatement will be executed by a separate service contractor. The proposed interpretive nature center will include a 4,000-square-foot one-story community building with a multi-purpose room, staff offices, accessible restrooms, a programmable open terrace, yoga deck, and landscape elements such as a botanical garden, passive meadow, demonstration/community garden, native garden, nature grove, an observation area, integrated public art, access to the Park to Playa Trail, and surface parking.

Additionally, the Project site will require closure program activities related to the abandoned Dabney Lloyd No. 3 oil well located under the existing multi-purpose room building. Closure program activities consist of investigative work by the demolition services contractor to determine the oil well location, depth, conditions, and compliance with the current requirements of the Division of Oil, Gas, and Geothermal Resources. The demolition, abatement, and closure program investigation work is being accomplished by using a service agreement with NorthStar Demolition and Remediation, LP, as previously approved by the Board on September 2, 2014.

On March 5, 2013, the Board established the proposed Project, Capital Project (C.P.) No. 70007, with a total budget of \$10,250,000, which is partially funded by \$5,250,000 in Regional Park and Open Space, Proposition A funds; adopted a resolution to authorize the Department of Parks and

Recreation (Parks) to apply to the Baldwin Hills Conservancy (BHC) for Proposition 40 grant funds in the amount of \$5,000,000 to provide the remaining funding of the approved Project budget; and authorized Public Works to proceed with preparation of design-build scoping documents and environmental documentation.

On September 2, 2014, the Board authorized Public Works to execute a service contract with NorthStar Demolition and Remediation, LP, to complete demolition of the existing structures and the investigation of the abandoned Dabney Lloyd No. 3 oil well.

Public Works will issue a stipend of \$25,000 via a consultant services agreement to the second highest ranked, qualifying proposer that was not selected as the best value design-builder, which affords the County the right to use the information and ideas submitted by the proposer. Pursuant to a consultant services agreement, if the Board elects not to award the design-build agreement, the top two highest ranked, qualifying proposers, will each be paid the stipend of \$25,000.

Design Completion Allowance

The \$325,000 design completion allowance is intended to facilitate the resolution of issues identified only during the design phase of the proposed Project, including issues concerning the County's scoping documents or changes required by jurisdictional agencies or due to unforeseen conditions discovered during design, including any increased design or construction costs associated therewith.

The inclusion of the design completion allowance will facilitate the design decision process and minimize potential delays that could occur with design phase issues.

The use of the design completion allowance will be controlled by Public Works reallocating funds from the design completion allowance into the contract sum.

Veterans Local Worker Hire Program

As adopted by the Board on May 13, 2014, this Project meets the criteria for implementation of the Veterans Local Worker Hiring Program (Program), which requires contractors to make a good faith effort to ensure that a minimum goal of 5 percent of construction labor hours be performed by qualified veterans who reside in the Los Angeles County (County). See Facts and Provisions/Legal Requirements for clarification of the Program goals.

Green Building/Sustainable Design Program

The proposed Project will support the Board's Green Building/Sustainable Design Program by incorporating into the Project design and construction sustainable features to optimize energy and water use, enhance the sustainability of the site, improve indoor environmental quality, and maximize the use and reuse of sustainable and local resources.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1), Community Support and Responsiveness (Goal 2), and Integrated Service Delivery (Goal 3), by maximizing the effectiveness of process, structure, and operations to support timely delivery of customer-oriented and efficient public service.

FISCAL IMPACT/FINANCING

On March 5, 2013, the Board established the Project with a total budget of \$10,250,000, which includes plans and specifications, plan check, demolition, construction, equipment, consultant services, Civic Art fee, miscellaneous expenditures, and County services. The proposed Project Schedule and Budget Summary are included in Attachment A.

The Project is funded by \$5,250,000 in Proposition A grant funds allocated to the Baldwin Hills Regional Conservation Authority (BHRC) and \$5,000,000 in Proposition 40 grant funds from the BHC. Sufficient appropriation is budgeted in the FY 2014-15 Capital Project/Refurbishments Budget under C.P. No. 70007.

The total value of additional scope of work is estimated at \$314,000. If the current budget of \$10,250,000 is not sufficient and additional funding is not identified, the additional scope of work will not be implemented. If funding is identified, we will return to the Board to appropriate the additional funds and approve the revised project budget.

Operating Budget Impact

Based on the Project description, Parks anticipates one-time and ongoing costs to operate and maintain the completed Project. One-time funds of approximately \$88,000 are estimated for maintenance tools and vehicle, and annual ongoing funds of \$362,000 are estimated for park supervision and various maintenance/housekeeping supplies. Parks will work with the Chief Executive Office (CEO) to determine the appropriate level of services and available funding and request the one-time and ongoing funds in Parks FY 2015-16 New Facilities Request.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The proposed Project site is within the area covered by the Culver City General Plan. However, because it is a County project, it is subject to County planning requirements, not the City. Pursuant to California Government Code, Section 65402, the County sent a letter to the City Planning Division requesting a report as to conformity with the General Plan of the City. On November 11, 2013, the City Planning Division responded to the County's request and found that the proposed Project conformed to the City's General Plan, specifically the 2000 General Plan Land Use Element and the 1996 Open Space Element.

The design-build contract with Ledcor contains terms and conditions supporting the Board's ordinances and policies, including but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; and County Code Chapter 2.203, Contractor.

Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy No. 5.050, County's Greater Avenues for Independence (GAIN) and General Relief Opportunities for Work (GROW) Programs; Board Policy No. 5.060, Reporting of Improper Solicitations; Board Policy No. 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy No. 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrender Baby Law).

As required by the Board, language will be incorporated into the Project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal Income Tax Law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

The proposed Project specifications recommended a Local Worker Hiring Program for the project. The selected proposer is required to employ qualified local workers to perform at least 30 percent of the total California craft worker hours.

"Local residency" is defined with a two tier system – first preference will be given to qualified workers residing within the County in zip codes within a 5-mile radius of the proposed Project; and second preference will be given to qualified workers residing within the County in any zip code having one or more census tracts with an unemployment rate in excess of 150 percent of unemployment rate for the County as a whole or a Bank Enterprise Award Distressed Community.

The Program is modeled after the Local Worker Hiring Program approved by the Board on October 19, 2010. It is also similar to programs already in place with other local agencies.

The Program is not intended to discriminate or give preference to any particular group based on race, color, gender, sexual orientation, age, or disability. The definition of "veteran" as used in this policy, as well as the inclusion of spouses meeting certain eligibility requirements, is consistent with the Federal Jobs for Veterans Act and the Workforce Innovation and Opportunity Act. Maintaining this consistency will facilitate the process of placing qualified candidates through existing America's Job Centers of California operated under the oversight of Community and Senior Services.

The Program serves a legitimate governmental purpose and public policy goal of the County aimed at enhancing opportunities for local County residents who served in the United States Armed Forces or its reserve forces to be hired as construction workers on County projects that are subject to the Program.

As required by the Board, the Project budget includes 1 percent of design and construction costs to be allocated to the Civic Art Fund per the Board's Civic Art Policy adopted on December 7, 2004, and subsequently amended on December 15, 2009.

ENVIRONMENTAL DOCUMENTATION

On April 22, 2014, the Board, as lead agency for the Project under the California Environmental Quality Act, adopted the revised Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Plan for this Project finding the Project will not have a significant effect on the environment. The recommended actions are within the scope of the Project in the previously adopted revised MND. On April 23, 2014, Public Works filed a Notice of Determination with the Registrar-Recorder/County Clerk in accordance with Section 21152(a) of the California Public Resources Code.

CONTRACTING PROCESS

A standard consultant services contract for stipend and design-build contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

On June 10, 2014, Public Works issued a Request for Proposals (RFP) for design-build services for the Project. This contract opportunity was listed in the County's "Doing Business with Us" website.

The first phase of the RFP process was the submittal of a prequalification questionnaire (Part A) by all interested design-build firms.

On June 30, 2014, 15 prequalification questionnaires were received for evaluation. An evaluation committee made up of members from the CEO, Parks, and Public Works reviewed the prequalification questionnaires. The evaluation was made based on responses to questions concerning the business type and ownership of each design-build entity, evidence of the design-builder's experience and capacity to perform projects of similar size and complexity, licenses, registration, credentials, violations of State and Federal labor codes and safety regulations, debarment, default, bankruptcy, lawsuits on Public Works projects in the preceding five years, and other relevant criteria. Based on the review and evaluation of the prequalification questionnaires, 15 firms were determined to be prequalified. In accordance with the short listing requirements in the RFP, the top three firms were shortlisted and invited to submit technical and cost proposals (Part B) for the Project.

On August 19, 2014, the top two design-build firms submitted technical and cost proposals for evaluation. The third shortlisted firm, J.R. Abbott Construction, Inc., declined to submit a technical and cost proposal. J.R. Abbott Construction, Inc., informed Public Works they would not be submitting a technical and cost proposal in writing on August 11, 2014, and acknowledged they would not be eligible for a stipend on this Project. The two submitted technical and cost proposals were evaluated by the evaluation committee based on technical design and construction expertise, proposed delivery plans, price, life cycle costs, skilled labor force availability, acceptable safety record, design excellence, and design-build team personnel and organization. Final ranking of the proposers is listed in Attachment B. Ledcor in its design-build proposal was found to have submitted the best value and most advantageous proposal to perform these services under the design-build delivery method, in accordance with the evaluation criteria stated in the RFP. These evaluations were completed without regard to race, creed, color, or gender.

The contract requires the contractor to pay its employees applicable prevailing wages in accordance with the California Labor Code.

Ledcor's Community Business Enterprises participation data and three-year contracting history with the County are on file with Public Works.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current County services or projects during the performance of the recommended service.

CONCLUSION

Please return one adopted copy of this Board letter to the Chief Executive Office, Facilities and Asset Management Division; and to the Department of Public Works, Project Management Division II.

The Honorable Board of Supervisors

10/28/2014

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. T. Fujioka', with a long horizontal line extending to the right.

WILLIAM T FUJIOKA

Chief Executive Officer

WTF:SHK:DJT

SDW:RB:LL:zu

Enclosures

c: Executive Office, Board of Supervisors
County Counsel
Arts Commission
Auditor-Controller
Parks and Recreation
Public Works

October 28, 2014

ATTACHMENT A

**DEPARTMENT OF PUBLIC WORKS:
STONEVIEW NATURE CENTER PROJECT
CULVER CITY
AWARD DESIGN-BUILD CONTRACT
SPECS. 7232; CAPITAL PROJECT NO. 70007
(SECOND DISTRICT) (3 VOTES)**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date	Revised Scheduled Completion Date
Environmental Documentation	03/31/14*	03/31/14*
Scoping Documents	02/27/14*	02/27/14*
Demolition – Site Preparation	09/30/14	12/31/14
Design-Build Award	08/26/14	10/14/14
Notice To Proceed Design-Build	10/15/14	11/18/14
Design and Construction		
Substantial Completion	02/29/16	03/29/16
Construction Completion	04/27/16	05/27/16
Acceptance	05/27/16	06/27/16

*Indicates completed activity.

II. PROJECT BUDGET SUMMARY

Project Activity	Approved Project Budget
Land Acquisition	\$ 0
Construction	
Design-Build Contract	\$ 6,770,000
Stipends	\$ 75,000
Design Completion Allowance	\$ 325,000
Permit and Fees Allowance	\$ 0
Add Alternate Scope of Work	\$ 0
Change Orders	\$ 600,000
Demolition	\$ 576,800
Oil Well Abandon – Methane Control	\$ 173,200
Civic Arts *	\$ 70,000
Youth Employment	\$ 5,000
Subtotal	\$ 8,595,000
Programming/Development	\$ 0
Plans and Specifications (Scoping Documents and Demolition)	\$ 160,000
Consultant Services	
Hazardous Materials	\$ 20,000
Geotechnical Testing and Inspection	\$ 100,000
Materials Testing	\$ 50,000
Environmental Documentation	\$ 85,000
Cost Estimating	\$ 10,000
Traffic Mitigation	\$ 100,000
Subtotal	\$ 365,000
Miscellaneous Expenditures	\$ 5,000
Jurisdictional Review/Plan Check/Permit (Building and Safety)	\$ 100,000
County Services	
Quality Control/Code Compliance Inspection	\$ 310,000
Contract Administration	\$ 120,000
Project Management	\$ 440,000
Secretarial	\$ 15,000
Document Control	\$ 30,000
Project Technical Support	\$ 50,000
Consultant Contract Recovery	\$ 45,000
Office of Affirmative Action	\$ 15,000
Subtotal	\$ 1,025,000
Total	\$ 10,250,000

* Civic Arts fee is included in the design-build contract amount

October 28, 2014

ATTACHMENT B

**DEPARTMENT OF PUBLIC WORKS:
STONEVIEW NATURE CENTER PROJECT
CULVER CITY
AWARD DESIGN-BUILD CONTRACT
SPECS. 7232; CAPITAL PROJECT NO. 70007
(SECOND DISTRICT) (3 VOTES)**

The proposed new interpretive Nature Center will include a 4,000-square-foot one-story community building with a multi-purpose room, staff offices, interior and exterior accessible restrooms, a programmable open terrace, yoga deck, and landscape elements such as a botanical garden, passive meadow, demonstration/community garden, native garden, nature grove, an observation area, integrated public art, access to the Park to Playa Trail, and surface parking. The Project site is located at 5950 Stoneview Drive, Culver City, California 90232.

Request for Proposal Date: June 10, 2014

Proposer Ranking from Most Advantageous to Least:

	<u>Informed Average</u>	<u>Proposed Cost</u>
1. Ledcor Construction, Inc.	788.33	\$7,479,000
2. Swinerton, Inc.	734.33	\$7,163,244
3. J.R. Abbott Construction, Inc.	N/A	N/A

The design-build agreement for the construction of the Stoneview Nature Center Project will be issued to Ledcor Construction, Inc., for a total of \$7,479,000 (including a \$325,000 design completion allowance, a \$15,000 permit and fees allowance, and \$314,000 for the additional scope of work contingent on sufficient funds available in the current budget to fund it, or if additional funding is identified..